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Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the combined initial and second periodic reports of Swaziland

Addendum

Information provided by Swaziland in follow-up to the concluding observations*

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Note: The present document is being circulated in English, French and Spanish only.

* The present document is being issued without formal editing.

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Responses to paragraph 9 and 21 of the concluding observations and recommendations to Swaziland

Paragraph 9

1. The Committee calls upon the State party to adopt a comprehensive legal definition of discrimination against women in line with article 1 of the Convention, covering all prohibited grounds of discrimination, including sex and marital status, by amending section 20 of the Constitution or adopting other appropriate national legislation. The State party should urgently adopt the laws and policies that are pending, such as the bills on marriage, administration of estates, transnational crime, employment, legal aid and sexual offences and domestic violence and the land policy, and ensure that they fully comply with the Convention. The Committee also recommends that the State party widely disseminate the amendment to the Deeds Registry Act of 2012 and ensure its full implementation.

- Legal definition of discrimination against women, not implemented;
- Adopt pending laws and policies such as:
    - Bills on marriage; not implemented;
    - Administration of Estate Bill; not implemented;
    - Transnational Crime; not implemented;
    - Employment; not implemented;
    - Legal Aid — The legal Aid draft Bill is partly implemented — however, legal services are still provided free of charge by none state actors. This initiative has contributed to a heightened conviction rate of perpetrators of abuse;
    - Sexual Offences and Domestic Violence Bill — Partly Implemented. This Bill has been tabled in Parliament;
    - Land Policy — no data to date;
    - Deeds Registry Act of 2012 — Fully Implemented. Dissemination is in progress through ongoing programmes.

Paragraph 21

2. Recalling its general recommendation No. 19 on violence against women, the Committee urges the State party:

a. To enact into law the bill on sexual offences and domestic violence without further delay and ensure that it is comprehensive, covering all forms of violence against women, especially marital rape and sexual harassment;

3. This Bill has been partly implemented. The Sexual Offences and Domestic Violence Bill was tabled in Parliament in June 2016. The Deputy Prime Minister's Parliamentary Portfolio advertised it to the public to source views from different stakeholders which were acquired. Since then it is ready for presentation at the house of Assembly.

4. The Bill covers a comprehensive range of articles on domestic violence and sexual offences which contains all forms of violence and coverage goes beyond the spouse. These offences include marital rape, sexual harassment, incest, rape among others. Capacity building exercise on the bill has been conducted on both houses of parliament; House of Assembly and House of Senate.

b. To encourage reporting of domestic and sexual violence against women and girls, to ensure that complaints are effectively investigated and perpetrators punished with sanctions commensurate with the gravity of the offence and to address the culture of impunity;

5. Fully implemented, the Government of Swaziland in collaboration with its partners has a continuous advocacy program including campaigns to sensitize and disseminate information to the public on violence, and reporting structures.

c. To develop a system for regular collection of statistical data on cases, focusing on all forms of violence against women, including domestic violence and abduction, which should be disaggregated by age, type of offence and relationship between perpetrator and victim;

6. Fully implemented, a National Surveillance System was established in Swaziland in 2009, responsible for regular collection of data on violence. The system aggregates data on abuse cases that have been reported. The system includes representatives from government ministries, civil society organizations, faith-based organization, etc.

d. To decentralize one-stop centres and shelters to the four regions of the State party in order to ensure that women and girls who are victims of violence can gain access to them;

7. Partly implemented, the rolling out of one-stop centres is in progress and is being integrated in hospitals. A one-stop centre has been completed at the Raleigh Fitkin Memorial Hospital in Manzini region. Another one-stop centre at the Lubombo Referral Hospital is near completion in the Lubombo region and discussions are in progress in the Shiselweni region, which is the last region.

e. To establish a national violence coordination mechanism with a mandate to tackle all forms of violence against women and girls and to coordinate national efforts to prevent and eliminate such violence.

8. Fully implemented, the Swaziland Government established and launched the High Level Task Force on Violence and the Multi-Sectoral Technical Team on Violence in November 2016 to coordinate violence issues nationally.

Conclusion

9. The Government of the Kingdom of Swaziland remains committed to the protection and promotion of women's rights through the implementation of CEDAW.